

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYNTHIA GUTIERREZ, et al.,

Plaintiffs,

v.

SANTA ROSA MEMORIAL HOSPITAL, *et al.*,

Defendants.

Case No. [16-cv-02645-SI](#)

ORDER RE: DISCOVERY

Re: Dkt. Nos. 104, 108, 109

The parties have filed supplemental letter briefs regarding a dispute over whether plaintiffs' Electronic Healthcare Records ("EHR") expert should be permitted to inspect Santa Rosa Memorial Hospital's EHR for plaintiff Cynthia Gutierrez. Plaintiffs' supplemental letter brief clarifies that plaintiffs are not seeking to create a "mirror image" of those records, and instead that plaintiffs' expert is seeking electronic and on-site access for no more than 8 hours. Plaintiffs' expert states that he wishes to "verify whether duplicated records contain conflicting contemporaneous information about the treatment of plaintiff Gutierrez before, during and after her adverse drug reaction ('code'), and whether conflicts exist with respect to prior statements by Defendant, or between multiple, duplicated copies of Plaintiff's information in the E.H.R." Dkt. No. 109-1 at 2.

Defendant objects to the inspection as unnecessary, and defendant states that it has provided explanations to plaintiffs' counsel regarding the alleged irregularities. Defendant does not identify any particular burden associated with plaintiffs' expert performing the requested inspection.

On this record, the Court concludes that plaintiffs have shown that the requested discovery is appropriate and that the likely benefits outweigh any burden to defendant. The Court directs the

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parties to meet and confer to schedule the inspection.

IT IS SO ORDERED.

Dated: August 6, 2018



SUSAN ILLSTON
United States District Judge